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12 Attorneys for LIBERTY INSURANCE UNDERWRITERS

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

15 *** AMENDED ORDER***

16 WEBCOR CONSTRUCTION, LP dba
17 WEBCOR BUILDERS, a California limited
18 partnership;
19 ARCHITECTURAL GLASS AND
20 ALUMINUM CO., INC., a California
21 corporation,,
22
23

24 Plaintiffs,

25 vs.

26 ZURICH AMERICAN INSURANCE
27 COMPANY, a New York corporation;
28 WESTCHESTER FIRE INSURANCE
COMPANY, a Pennsylvania corporation;
OLD REPUBLIC GENERAL INSURANCE
CORPORATION, an Illinois corporation;
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA., a
Pennsylvania corporation; LIBERTY
INSURANCE UNDERWRITERS INC., an
Illinois corporation; STARR INDEMNITY &
LIABILITY COMPANY, a Texas corporation,
and DOES 1-10 Inclusive,,
29
30

31 Defendants.

32 AND RELATED COUNTER, CROSS AND
33 THIRD-PARTY-CLAIMS

CASE No. 4:17-cv-02220-YGR
ORDER GRANTING
~~STIPULATION AND [PROPOSED]~~
~~ORDER EXTENDING TIME TO~~
RESPOND TO PLAINTIFFS' SECOND
AMENDED COMPLAINT

AS MODIFIED BY THE COURT

34 Defendant Liberty Insurance Underwriters Inc., Zurich American Insurance Company, and

1 Old Republic General Insurance Corporation (collectively “Defendants”) on the one hand and
2 Plaintiffs WEBCOR CONSTRUCTION, LP dba WEBCOR BUILDERS, (“Webcor”) and
3 ARCHITECTURAL GLASS AND ALUMINUM CO., INC. (“AGA”) (collectively, “Plaintiffs”)
4 on the other hereby submit the following Stipulation Extending Time to Respond to Second
5 Amended Complaint in the above-captioned action.

6 WHEREAS, on September 28, 2017, this Court granted National Union’s motion to
7 dismiss Plaintiffs’ First Amended Complaint, and ordered that Plaintiffs file their Second
8 Amended Complaint (“SAC”) no later than October 10, 2017 and that all Defendants, including
9 National Union, file their response to the SAC within 14 days of filing.

10 WHEREAS, Plaintiffs filed their SAC on October 10, 2017 in the United States District
11 Court, Northern District of California, case number 4:17-cv-02220-YGR;

12 WHEREAS, on or about October 10, 2017, Plaintiffs electronically served Defendants
13 with the SAC, triggering Defendants’ responsive pleading deadline of October 24, 2017;

14 WHEREAS, on October 18, 2017, the parties participated in mediation, during which the
15 mediator indicated a mediator’s proposal would be provided.

16 WHEREAS, on October 21, 2017 the mediator sent a mediator’s proposal for a global
17 settlement as to all parties except for the third-party defendants.

18 WHEREAS, the deadline for the parties to respond to the mediator’s proposals is
19 November 8, 2017.

20 WHEREAS, Defendants and Plaintiffs agree it would be mutually beneficial to wait to
21 address a potential response to the SAC and oppositions to any motions challenging the SAC until
22 it can be determined whether a resolution pursuant to the mediator’s proposal can be achieved in
23 order to allow these parties to focus on whatever efforts may be made in order to achieve a
24 settlement in the near future.

25 WHEREAS, National Union and Plaintiffs submitted a similar stipulation and proposed
26 order on October 23, 2017 [Dkt 161], extending time for National Union’s response to the SAC.

27 WHEREFORE, Defendants and Plaintiffs stipulate and agree to the following:

28 1. The deadline for Defendants to Answer to the SAC is extended from October 24, 2017

1 until and including November 15, 2017.

2 IT IS SO STIPULATED:

3 DATED: MANATT, PHELPS & PHILLIPS LLP

4
5 October 24, 2017

By: /s/

Amy B. Briggs, Esq.

Attorneys for WEBCOR CONSTRUCTION, LP d/b/a
WEBCOR BUILDERS

6
7
8 DATED: WOLKIN CURRAN LLP

9
10 October 24, 2017

By: /s/

Brandt L. Wolkin, Esq.

Attorneys for ARCHITECTURAL GLASS AND
ALUMINUM CO., INC.

11
12 DATED: October 24, 2017 BRANSON, BRINKOP, GRIFFITH & CAMPO LLP

13
14 By: /s/

John R. Campo, Esq.

Attorneys for OLD REPUBLIC GENERAL
INSURANCE CORPORATION

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16
17 DATED: October 24, 2017 SINNOTT, PUEBLA CAMPAGNE & CURET PLC

18
19 By: /s/

Blaise S. Curet, Esq.

John T. Meno, Esq.

Attorneys for ZURICH AMERICAN INSURANCE
COMPANY

20
21
22 DATED: October 24, 2017 MUSICK, PEELER & GARRETT LLP

23
24 By: /s/

Susan J. Field, Esq.

Chad A. Westfall, Esq.


Attorneys for LIBERTY INSURANCE
UNDERWRITERS INC.

AMENDED
ORDER

The deadline for National Union to respond to the SAC is extended from October 24, 2017 to November 9, 2017. Any motion to dismiss shall be set for hearing on or after December 19, 2017, to be heard with any other pending motion to dismiss.

IT IS SO ORDERED.

DATED: October 25, 2017


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE